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May 4, 2021

VIA ECF

The Honorable Paul G. Gardaphe  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

Re: *Quamina v. Crampsie*, 21 Civ. 1878 (PGG) (BCM)  
(Letter re: Stay of Discovery Pending Motion Practice)

Dear Judge Gardaphe:

On behalf of Defendants Lauren Crampsie and Jason Lotkowictz, we submit this letter in response to Plaintiff's letter-motion to compel discovery dated May 5, 2021 (ECF No. 18). Defendants respectfully submit that discovery should be stayed pending the Court's decision on whether they can file a motion to dismiss. If the Court grants Defendants leave to file the motion, discovery should be stayed until the Court issues a decision on the motion.

Plaintiff's retaliation claim under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, is her sole jurisdictional hook. If the claim were dismissed, as Defendants argue it should be (*see* ECF Nos. 14, 16), there would be no basis for this Court to exercise supplemental jurisdiction over Plaintiff's remaining state law claims. If this occurs, engaging in discovery before the Court issues a decision on the motion to dismiss would be a waste of resources, resulting in the duplication of discovery in state court.

To preserve resources, Defendants respectfully request that discovery be stayed pending a decision on their motion to dismiss.

Respectfully submitted,

*s/ Gianfranco J. Cuadra*  
Gianfranco J. Cuadra

cc: Counsel for Plaintiff (via ECF)